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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/815,212

03/31/2004

Rick Allen Hamilton

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7111

7590

10/17/2006

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EXAMINER

ARTHUR JEANGLAUD, GERTRUDE

ART UNIT

PAPER NUMBER

3661

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/815,212		HAMILTON ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Gertrude Arthur-Jeanglaude		3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                      |                                                                   |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____                                                          | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Response to Amendment***

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-18, are rejected under 35 U.S.C. 103(a) as being unpatentable over Park et al. (U.S. Patent No. 6,847,889) and Shanbhag (U.S. Pub No.20020012386) in view of Schreder (U.S. Patent No. 5,504,482).

As to claims 1, 6, 10, Park et al. disclose an apparatus and computer program product for navigating a vehicle comprising a Global positioning system receiver as shown in Fig. 12, wherein the GPS receiver at least determines GPS coordinates of the vehicle; a Radio frequency (RF) receiver, wherein the RF receiver is at least configured to receive a plurality of RF signals, wherein the plurality of RF signals are at least configured to contain GPS coordinates of traffic or environmental conditions; it further discloses a processing unit, wherein the processing unit is at least configured to receive the GPS coordinates of the vehicle, and to calculate alternate routes (optimum routes) of vehicle travel around the traffic or environmental conditions in response to GPS coordinates of the vehicle and the traffic or environmental conditions (See col. 5, lines 30-50); but fails to specifically disclose to decode the plurality of RF signals. In an analogous art, Shanbhag discloses a processor that comprises a decoder for decoding

RF signals (See paragraph 0072, 0073). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Park et al. with that of Shanbhag by having a decoder for decoding rf signals in order to conserve memory space. Though Park et al. disclose a processing unit, it fails to specifically disclose that the processing unit is in the vehicle. In an analogous art, Schreder discloses an automobile navigation guidance control and safety wherein it discloses a processing unit (84) as shown in Fig. 2 in the vehicle for calculating routes (See col. 11, lines 32-42). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Park et al. and Shanbhag with that of Schreder by having a processor in the vehicle in order to provide precise positioning and route guidance.

As to claims 2, 7, 11, 15, Park et al. disclose the RF receiver is an Amplitude Modulation (AM) radio receiver, a Frequency Modulation (FM) radio receiver, a cellular receiver, or a satellite receiver (See col. 5, lines 42-57).

As to claims 3, 14, Park et al. a navigating a vehicle comprising a Global positioning system receiver as shown in Fig. 12, wherein the GPS receiver at least determines GPS coordinates of the vehicle; a Radio frequency (RF) receiver, wherein the RF receiver is at least configured to receive a plurality of RF signals, wherein the plurality of RF signals are at least configured to contain GPS coordinates of traffic or environmental conditions; it further discloses a processing unit, wherein the processing unit is at least configured to receive the GPS coordinates of the vehicle, (See col. 5, lines 30-50); but fails to specifically disclose to decode the plurality of RF signals. In an

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analogous art, Shanbhag discloses a processor that comprises a decoder for decoding RF signals (See paragraph 0072, 0073). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Park et al. with that of Shanbhag by having a decoder for decoding rf signals in order to conserve memory space. In an analogous art, Schreder discloses an automobile navigation guidance control and safety wherein it discloses a processing unit (84) as shown in Fig. 2 in the vehicle for calculating routes (See col. 11, lines 32-42). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Park et al. and Shanbhag with that of Schreder by having a processor in the vehicle in order to provide precise positioning and route guidance.

As to claim 16, Park et al. discloses the processing unit as discussed comprising a navigation unit, wherein the navigation unit calculates alternate routes (optimum routes) based on the GPS coordinates of the traffic or environmental conditions and the GPS coordinates of the vehicle (See col. 5, lines 30-50).

As to claims 4-5, 8-9, 12-13, 17-18, Park et al. disclose a storage unit for storing map data and traffic related in real time which is obvious to include a date and time of the traffic and to determine historical trends of the traffic (See col. 5, lines 30-67).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the prior arts are properly combined to teach all limitations.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gaj

  
Gertrude Arthur-Jeanglaude  
Primary Examiner